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NOTICE OF ALLOWANCE AND FEE(S) DUE

20210

7590

09/30/2009

DAVIS & BUJOLD, P.L.L.C. 112 PLEASANT STREET CONCORD, NH 03301 EXAMINER

LEWIS, TISHA D

ART UNIT PAPER NUMBER

3655

DATE MAILED: 09/30/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/593,381	09/20/2006	Peter Ziemer	ZAHFRI P888US	8865

TITLE OF INVENTION: PLANETARY TRANSMISSION, ESPECIALLY DUAL-CLUTCH PLANETARY TRANSMISSION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	12/30/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

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or <u>Fax</u> (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where n

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								(Depositor's name)
								(Signature)
								(Date)
APPLICATION NO.	FILING DATE		FIRST NAMED INVEN	TOR		ATTO:	RNEY DOCKET NO.	CONFIRMATION NO.
10/593,381	09/20/2006		Peter Ziemer			\mathbf{Z}_{i}	AHFRI P888US	8865
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nonprovisional	NO	\$1510	\$300	\$0 \$1810		\$1810	12/30/2009	
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LEWIS,	ΓΙSHA D	3655	475-286000					
. Change of corresponde CFR 1.363). Change of corresp Address form PTO/S1 "Fee Address" ind PTO/SB/47; Rev 03-6 Number is required.	2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.							
PLEASE NOTE: Unl recordation as set fort (A) NAME OF ASSIG	less an assignee is ident h in 37 CFR 3.11. Comp GNEE	oletion of this form is NO	data will appear on the Tasubstitute for filing (B) RESIDENCE: (C	he pa g an a CITY	ttent. If an assigne assignment. and STATE OR C	OUNT	'RY)	cument has been filed for
lease check the appropr	iate assignee category or	categories (will not be pr	rinted on the patent):		Individual 🖵 Co	rporati	on or other private grou	up entity Government
a. The following fee(s) Issue Fee Publication Fee (N Advance Order - s	4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above) ☐ A check is enclosed. ☐ Payment by credit card. Form PTO-2038 is attached. ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number (enclose an extra copy of this form).							
_ ` .	tus (from status indicated is SMALL ENTITY statu		□ b. Applicant is no	long	sor claiming SMAI	I ENT	ΓΙΤΥ status. See 37 CF	P 1 27(a)(2)
OTE: The Issue Fee an	d Publication Fee (if rea		d from anyone other th					e assignee or other party in
Authorized Signature					Date			
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112 PLEASANT STREET			ART UNIT	PAPER NUMBER		
CONCORD, NH 0	3301		3655			
		DATE MAILED: 09/30/2009				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 502 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 502 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

	Application No.	Applicant(s)	
	10/593,381	ZIEMER, PETER	
Notice of Allowability	Examiner	Art Unit	
	 TISHA D. LEWIS	3655	
The MAILING DATE of this communication appeal All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIOF the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED or other appropriate comm GHTS. This application is and MPEP 1308.	n this application. If not included unication will be mailed in due course	
2. \boxtimes The allowed claim(s) is/are <u>26-50</u> .			
 3. Acknowledgment is made of a claim for foreign priority ur a) All b) Some* c) None of the: 1. Certified copies of the priority documents have 2. Certified copies of the priority documents have 3. Copies of the certified copies of the priority do International Bureau (PCT Rule 17.2(a)). * Certified copies not received: 	been received. been received in Applicati	on No	m the
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 4. A SUBSTITUTE OATH OR DECLARATION must be subm	IENT of this application.		
INFORMAL PATENT APPLICATION (PTO-152) which give			, OF
5. CORRECTED DRAWINGS (as "replacement sheets") mus			
(a) including changes required by the Notice of Draftspers	•	w (PTO-948) attached	
1) hereto or 2) to Paper No./Mail Date			
 (b) ☐ including changes required by the attached Examiner's Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1) 			of
each sheet. Replacement sheet(s) should be labeled as such in t			
 DEPOSIT OF and/or INFORMATION about the depo attached Examiner's comment regarding REQUIREMENT 			9
Attachment(s) 1. ☐ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	6. ☐ Interview 5 Paper No 7. ☐ Examiner's —	nformal Patent Application Summary (PTO-413), ./Mail Date s Amendment/Comment s Statement of Reasons for Allowance	

DETAILED ACTION

The following is a response to the amendment received on July 31, 2009 which has been entered.

Response to Amendment

Claims 26-50 are pending in the application.

-The objection to claims 26 and 28 are withdrawn due to applicant amending these claims to correct clarification of limitations.

-The 102(b) and 102(e) rejections of claims 26, 28-33 and 35 has been withdrawn due to applicant amending claim 26 over the prior art of record used in the rejection.

Allowable Subject Matter

Claims 26-50 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art of record does not disclose or render obvious a motivation to provide for:

-(as to claim 26) a dual clutch planetary transmission having four planetary gear sets, first and second frictional shifting elements, seven shape fit shifting elements for gear ratio selection, the first set is a simple planetary, the second, third and fourth set forms a 3 carrier, 5 shaft transmission with separate planetary gears, the first and second elements is positioned between a transmission input shaft and the first set, the seven shape fit elements are arranged between the first and second sets and in combination with all the limitations as written in claim 26.

-(as to claim 27) a dual clutch planetary transmission having four planetary gear sets, first and second frictional shifting elements, seven shape fit shifting elements for attaining ratio stages wherein the second, third and fourth set form a reduced 3 carrier, 5 shaft apparatus in which the second and third planetary gears are bound together by dual planetary gears without stepping and in combination with all the limitations as written in claim 27.

-(as to claim 34) a dual clutch planetary transmission having four planetary gear sets, first and second frictional shifting elements, seven shape fit shifting elements for attaining ratio stages, the second, third and fourth set forming a 3 carrier, 5 shaft apparatus with separate planetary gears, the first set being a simple planetary set and a first shaft of the first set is bound to a transmission input shaft and an additional shaft of the first set can be stopped by the second frictional shifting element acting against a housing component and in combination with all the limitations as written in claim 34.

-(as to claim 36) a dual clutch planetary transmission having four planetary gear sets, first and second frictional shifting elements, seven shape fit shifting elements for attaining ratio stages, the second, third and fourth set forming a 3 carrier, 5 shaft apparatus with separate planetary gears wherein a carrier and internal gear of the second set is connected with a carrier and internal gear of the third set and in combination with all the limitations as written in claim 36.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably Application/Control Number: 10/593,381 Page 4

Art Unit: 3655

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TISHA D. LEWIS whose telephone number is 571-272-7093. The examiner can normally be reached on M-F 9:30AM TO 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ROBERT SICONOLFI can be reached on 571-272-7124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tdl /TISHA D. LEWIS/ Primary Examiner, Art Unit 3655 Application/Control Number: 10/593,381 Page 5

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September 25, 2009